

REMARKS

In the above referenced case, claim 132 is pending.

I. The 35 U.S.C. §103 Rejection

Claim 132 was rejected under 35 U.S.C. §103(a) as being unpatentable over Nicolas et al., U.S. Patent No. 5,299,036 (“NICOLAS”) in view of Miyatake et al. (“MIYATAKE”), U.S. Patent No. 4,943,154 and of Konno et al., U.S. Patent No. 4,497,015 (“KONNO”). Applicant respectfully traverses the rejection.

Applicant respectfully submits that the combination of references does not disclose at least element [g] of claim 132.

The Examiner relied on KONNO for allegedly disclosing element [a], on NICOLAS for allegedly disclosing elements [b]-[f], and MIYATAKE for allegedly disclosing element [g] of claim 132. The Examiner also expressly acknowledged that NICOLAS does not disclose element [g] of claim 132. Therefore, Applicant will specifically discuss element [g] with respect to MIYATAKE only.

A. MIYATAKE Does Not Disclose or Suggest the Color Separating Means as Recited in Element [g]

Element [g] of claim 132 recites at least:

... the color separating means comprises a first flat-plate type dichroic mirror and a second flat-plate type dichroic mirror intersecting in X-letter form, light paths from the intersecting part to each of the altering means having lengths such that the path of the color light which advances straightly through the color separating means is the shortest, the second dichroic mirror being constructed by two dichroic mirrors separated at the intersecting part so that the dichroic reflecting surfaces of the two

dichroic mirrors are placed on different planes to allow two-edge surfaces of the two dichroic mirrors forming the intersecting part to be seen as being at least partially overlapping when the color-separating means is observed from the output light side in a direction along its input light. (Emphasis Added).

The Examiner cited the color separator 5 in Figure 11 of MIYATAKE for allegedly disclosing the color separating means recited in claim 132. However, in MIYATAKE, the two dichroic mirrors forming the second flat-plate type dichroic mirror are in the same plane.

The component color separator 5 includes a flat-plate type red-reflecting dichroic mirror 6 and a couple of flat-plate type half-separated blue-reflecting dichroic mirrors 7 and 8 which are arranged at right angles so as to form an X shape. The dichroic mirror surfaces 9 and 10 of their respective mirrors 7 and 8 are on a same plane.

MIYATAKE, col. 1, lines 39-45 (Emphasis Added).

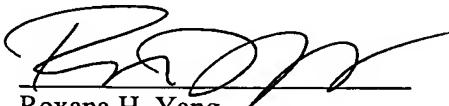
In contrast, claim 132 requires the two dichroic mirrors of the second dichroic mirror to be on different planes.

Based on all the foregoing, Applicant respectfully submits that the combination of cited references fails to disclose or suggest at least one element of claim 132 and this claim is in condition for allowance.

II. Conclusion

In view of the foregoing, it is respectfully submitted that the application is now in condition for allowance. Should the Examiner believe that a telephone interview would help advance the prosecution of this case, the Examiner is requested to contact the undersigned attorney.

Respectfully submitted,

By: 
Roxana H. Yang
Registration No. 46,788

PATENTESQUE LAW GROUP, LLP
P.O. Box 400
Los Altos, CA 94023
(650) 948-0822